

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.25378 of 2001

Date:04.06.2007

Between:

Smt.M.S.Nirmala Devi

.. PETITIONER

AND

The State of A.P. and another.

..RESPONDENTS

ORDER:

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This writ petition is filed with a prayer to direct the District Registrar, Mojamjahi Market, Hyderabad and the Treasurer, District Treasury (Urban), M.J.Road, Hyderabad to furnish the original or certified copy of receipt No.1629 of 1950 together with certified copy of the thumb impression of late C.K.Dhankoti Mudaliar, said to have been affixed in Book No.181 of 1950.

The petitioner states that she is the grand daughter of late Sri C.K.Dhankoti Mudaliar and succeeded to his estate through her parents. It is stated that in the recent past, she came to know during the trial in O.S.No.1429 of 1981 on the file of the III Additional Judge, City Civil Court, Secunderabad that her grand father had deposited certain valuables with the second respondent in the year 1950 and to that effect, he obtained a receipt bearing No.1629 of 1950, registered with the first respondent together with his thumb impressions. The petitioner claims to have made efforts to obtain original or certified copies of the said receipt and thumb impressions to secure the benefit out of it, and complains that the respondents are not acceding to her request.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The relief claimed by the petitioner is very limited in nature. It is only for furnishing the original or certified copies of the documents registered with the first respondent. The justification pleaded by the respondents was that the register concerned and the documents were filed into the Court of the III Additional Chief Judge, City Civil Court, Hyderabad in O.S.No.853 of 1999. The petitioner made an effort to obtain certified copies from the trial Court also by filing I.A.No.1025 of 2007. The trial Court passed an order, dated 15.03.2007, dismissing the I.A. on the ground that the documents were filed by the registering authorities and that the petitioner cannot be furnished certified copies thereof.

It is no doubt true that the petitioner is not a party to O.S.No.853 of 1999. At the same time, it must not be forgotten that she is very much interested in obtaining certified copies of the documents referred to above. The effort made by her to secure certified copies from the registering authority did not fructify on the sole ground that the documents are with the Court. Therefore, notwithstanding the fact that the petitioner is not a party to O.S.No.853 of 1999, she can be furnished the certified copies of the documents.

For the foregoing reasons, the writ petition is disposed of, directing that the petitioner shall be furnished certified copies of the documents applied for through I.A.No.1025 of 2007 in C.A.No.6705 of 2007 in O.S.No.853 of 1999 on the file of the III Additional Chief Judge, City Civil Court, Hyderabad. The C.A. filed by the petitioner shall be complied with on usual terms. There shall be no order as to costs.

04.06.2007

kdl